

REMARKS

Applicant respectfully requests reconsideration of the present application in view of the foregoing amendments and in view of the reasons that follow. Claims 16-35 are amended.

This amendment adds, changes and/or deletes claims in this application. A detailed listing of all claims that are, or were, in the application, irrespective of whether the claim(s) remain under examination in the application, is presented, with an appropriate defined status identifier.

After amending the claims as set forth above, claims 16-35 are pending in this application.

Drawings

Applicant respectfully requests that the Examiner indicate that the drawings filed March 8, 2006 are accepted.

Claim Rejections – 35 U.S.C. § 112

Claims 18 and 20 stand rejected under 35 U.S.C. § 112, second paragraph, for being indefinite. Applicant has amended each of claims 18 and 20, and these claims as amended no longer recite “such as.” Accordingly, Applicant respectfully submits that the claims are not indefinite, and respectfully requests that the rejection be withdrawn.

Claim Rejections - 35 U.S.C. § 101

Claim 35 stands rejected under 35 U.S.C. § 101 as being directed to non-statutory subject matter. Applicant has amended claim 35 to recite “A computer-readable medium with program code embodied therein for causing when executed, a computer system, to perform a method.” Accordingly, Applicant respectfully submits that claim 35 is directed to statutory subject matter, and respectfully requests that the rejection be withdrawn.

Claim Rejections - 35 U.S.C. § 102(e)

Claims 16, 17, and 21-35 stand rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Pat. 6,987,573 ("Silverbrook"). Applicant respectfully submits that the Examiner's rejection is erroneous and respectfully requests its withdrawal.

Independent claim 16 is directed to "a method of printing a digital document," as amended. Independent claim 26 is directed to "a digital document printing apparatus," as amended. Independent claim 35 is directed to "a computer readable medium," as amended. In particular, independent claim 1 has been amended such that it recites the feature of "generating from the first document a second document wherein at least one of the shape ~~and~~ ~~or size~~ and or location of the at least one functional area is modified." (Amendment emphasis added by Applicant). Each of claims 26 and 35 have been similarly amended and recite a similar claim feature.

Applicant relies on M.P.E.P. § 2131, entitled "Anticipation -- Application of 35 U.S.C. § 102(a), (b), (e)" which states, "a claim is anticipated only if each and every element set forth in the claim is found, either expressly or inherently described, in a single prior art reference." Applicant respectfully submits that Silverbrook does not describe each and every element of independent claims 16, 26, and 35.

Rather, Silverbrook is directed to "a printer for receiving document data from a computer system and printing an interface onto a surface" (Silverbrook, Abstract), and fails to disclose, teach, or suggest the amended claim feature of "generating from the first document a second document wherein at least one of the shape or location of the at least one functional area is modified," as now recited in independent claim 1. Rather, Silverbrook only explicitly mentions that "the page server allows a user to request a copy of a document without being forced to accept the source document's specific format. The user may be requesting a copy through a printer with a different page size, for example." *Id.* at 12:29-36 (Cited by Examiner). In other words, Silverbrook only mentions potentially changing the size of a document to be printed, but fails to teach, disclose, or suggest manipulation wherein "at least one of the shape or location of the at least one functional area is modified," as presently claim in independent claim 1.

Accordingly, Silverbrook fails to teach, disclose, or suggest at least the claimed feature of “generating from the first document a second document wherein at least one of the shape or location of the at least one functional area is modified,” as recited in independent claim 1, and similarly in independent claims 26 and 35. As such, these claims should be allowed. Furthermore, claims 17-25, and 27-34 are dependent upon one of independent claims 1 and 26 and should be allowed at least for the reasons asserted above, as well as for the further patentable features recited therein.

In addition to the allowability of the independent claims over Silverbrook, the Examiner’s attention is directed to each of claims 23-24, and 29-30 which each recite a feature directed to “requesting a portion of pattern comprises requesting an area of pattern larger than that which is required for a functional area of a document and allocating a sub-portion to the functional area according to how the functional area has been modified.” Applicant notes that the Office Action’s rejection is deficient because it fails to clearly identify a teaching of the simplified pattern retrieval as claimed. The claimed simplified requesting feature of each of these claims is discussed as an embodiment in the Present Application. *See* Present Application, Page 16, Lines 19-25 (“In this way, the request made to the pattern allocation unit is simplified as the printer driver always asks for the same amount of pattern regardless of the modifications made to the document”) (only a portion directly quoted).

Furthermore, the Examiner’s attention is also directed to claim 25 which recites the feature of “the step of modifying the functional area comprises ~~increasing its size, varying its aspect ratio or~~ rotating the area relative to the remainder of the document,” as amended. (Amendment emphasis added by Applicant). Here again, the Office Action references the same portion of the Silverbrook disclosure that only mentions in passing modification and only explicitly references modification of the size of a document.

As such, Applicant respectfully submits that each of dependent claims 23-25, and 29-30 are patentable at least by virtue of their dependence on the allowable independent claims, and also because of their recitation of additional patentable features as asserted above.

Conclusion

Applicant believes that the present application is now in condition for allowance. Favorable reconsideration of the application as amended is respectfully requested.

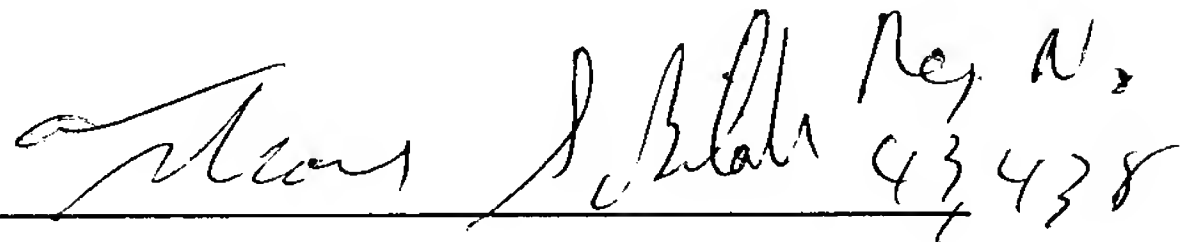
The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.


The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 08-2025. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing or a credit card payment form being unsigned, providing incorrect information resulting in a rejected credit card transaction, or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 08-2025. If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicant hereby petitions for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 08-2025.

Respectfully submitted,

Date October 30, 2009

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